THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.3143 OF 2004

DATED: 22-08-2007

Between :

Ch. Suryanarayana ... Petitioner

And

1. The Mandal Parishad Development Officer,
   Devarapalli (Post), Visakhapatnam
   Dist. & others. .. Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.3143 OF 2004

ORDER :

The petitioner is the President of Water Users Association at Kasipuram Village, Devarapalli Mandal, Visakhapatnam District.

This writ petition is filed aggrieved by the action of the respondents 1 and 2 in proposing to entrust the construction work of diversion weir at Kasipuram to the 3rd respondent herein ignoring the claim of the Water Users Association as arbitrary and illegal.

It is claimed that the Water Users Association alone is entitled to execute the work in question and the impugned proposal to entrust the said work to an individual is impermissible.

This Court while directing Rule Nisi by order dated 22-3-2004 directed that the work in question shall not be entrusted to any third parties. The said order continued to be in operation throughout and no counter-affidavit has been filed by any of the respondents so far.

Having heard the learned Counsel for the parties and accepting the uncontroverted averments in the writ petition, I deem it appropriate to dispose of the Writ Petition with a direction to the respondents 1 and 2 to consider the claim of the petitioner and pass appropriate orders in accordance with law. Till such time, the work in question shall not be entrusted to any third party. No costs.

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G. ROHINI, J.

Dt. 22-8-2007
gbs